

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEITH SEWELL

Plaintiff,

vs.

UNITED STATES OF AMERICA

Defendant.

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**C.A. No. 04-85Erie
District Judge Cohill
Magistrate Judge Baxter**

ORDER

AND NOW, this 8th day of November, 2005;

IT IS HEREBY ORDERED that Plaintiff show cause before November 15, 2005, for his failure to file his pre-trial statement which was due November 1, 2005. **Failure to respond to this Order will result in the dismissal of this case for failure to prosecute.**

IT IS FURTHER ORDERED that Defendant will have ten days from the date that Plaintiff files his pre-trial statement to file its pre-trial statement. The deadline for filing a motion for summary judgment remains November 21, 2005 as contemplated by the Case Management Order issued July 14, 2005.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE